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 Jeff Proehl

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 Other: \_\_\_\_\_
RE: Appln. No. 10/016,585 Filing Date: 10/22/2001 Applicant J. WUGOFSKI

1) PETITION TO REINSTATE UNDER 37 CFR 1.157(b)

2) AMENDMENT 3) TERMINAL DISCLAIMER

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Jeff Proehl

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Attorney's Docket No. 25-0079  
Client's Docket No. P1328US01

## IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Appln. No. 10/016,585 )  
First Named Applicant: THEODORE D WUGOFSKI )  
Filed: 10/22/2001 )  
For: PROGRAMMABLE GRAPHICAL USER INTERFACE )  
CONTROL SYSTEM AND METHOD )  
TC/A.U.: 2173 )  
Examiner: Vu, Kieu D )

Mail Stop Petitions  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

**PETITION TO REVIVE AN UNINTENTIONALLY ABANDONED APPLICATION  
UNDER THE PROVISIONS OF 37 C.F.R. 1.137(B)**

The above-identified application became abandoned for failure to file a timely and proper response to the Office Action mailed on July 26, 2004, which set a three month shortened statutory period for response. The abandonment date of this application was October 27, 2004.

Applicant's attorneys respectfully petition the Assistant Commissioner for Patents to revive the above-identified application under the provisions of 37 C.F.R. 1.137 on the ground that the delay causing the abandonment of the above-identified application was unintentional.

Statement. The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition under 37 CFR 1.137 (b) was unintentional.

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Per PTO Rule 137(b), enclosed with this Petition to Revive and above statement that the delay was unintentional is:

- a) an "Amendment" responsive to the Office Action dated July 16, 2004; and
- b) a Terminal Disclaimer submitted in connection with the Amendment.

The Commissioner is hereby authorized to charge the petition fee in the sum required under 37 C.F.R. § 1.17(m) to Deposit Account No. 50-0439 (Gateway, Inc.), as well as charge any additional fees or credit any overpayments.

The revival of the subject patent application from abandonment is respectfully requested, and an indication of the allowability of the claims of the application courteously solicited.

Respectfully submitted,

LEONARD & PROEHL, Prof. L.L.C.

By *Jeff Proehl* Date: Oct 24, 2005  
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